

Notice of Allowability

Application No.

09/624,936

Examiner

Patrice Winder

Applicant(s)

PRAVETZ ET AL.

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2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to March 30, 2005.
2. ☒ The allowed claim(s) is/are 1-12, 14-17, 19-24 and 26-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

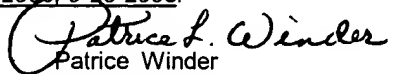
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 4-11-2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other IDS 11-13-2000; 9-28-2005


Patrice Winder
Primary Examiner
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Statement on Status of the Present Application

1. On April 11, 2005, Applicant filed an Information Disclosure statement. On June 27, 2005, a Notice of Allowability was recorded for the present application in response to Applicant's remarks filed on March 30, 2005. However, due to a glitch in the electronic file wrapper system software the Notice of Allowability was never mailed. Subsequent to the generation of the Notice of Allowability, Applicant filed another Information Disclosure statement on September 28, 2005. Through communication with Applicant around October 17, 2006, it was also discovered that the Information Disclosure statement filed on November 13, 2000 had not been considered.
2. The glitch has been fixed and the papers associated with the Notice of Allowability of June 25, 2005 have been regenerated for the present date. All of the Information Disclosure Statements have been considered and are attached to this Notice of Allowability.

Allowable Subject Matter

3. Claims 1-12, 14-17, 19-24, 26-31 are allowed.
4. The following is an examiner's statement of reasons for allowance:

Claims 1-12, 14-17, 19-24, 26-31 are allowable over the prior art of record because the prior art of record fails to teach or suggest an apparatus comprising a computer executable invoked by an HTTP client,

the computer executable operable to process a file of a first file type having file content;

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a first module that determines whether the file content is a first content type, the first module performing a first function if the file content includes content of a first content type; and

a second module that determines whether the file content includes content of second content type, the second module performing a second function different from the first function if the file content includes content of the second content type in addition to the arguments raised by application's representative in the remarks filed on March 30, 2005.

The closest prior art of record, Kelley et al., USPN 6,651,084 B1, taught plug-ins which perform a first function for a first content type and perform the same function for a second content.

The second closest prior art of record, Fucarile et al., USPN 6,766,305 B1, taught a plugin which performs a first function and a second function not dependent on content type.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Gosling, USPN 6,052,732: taught a system for dynamically downloading an object viewer from a client or a server;

7. Pashupathy et al., USPN 6,078,951: taught a method and apparatus for automating a software delivery system by locating, downloading, installing and upgrading viewer software; and


8. Kelley et al., USPN 6,651,084 B1: a system and method for adding plug-ins to a web browser.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Patrice Winder
Primary Examiner
Art Unit 2145

December 15, 2006